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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,082	03/08/2004	Shigetaka Kinme	04970/0200979-US0	8676

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EXAMINER

GARCIA, ERNESTO

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,082

Applicant(s)

KINME ET AL.

Examiner

Ernesto Garcia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/17/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 1-5 are objected to because of the following informalities:

regarding claim 1, the limitation --and extending-- should be inserted before "in a longitudinal direction" in lines 4 and 7; and,

regarding claims 1-5, the limitation "of a shaft body and a shaft joint" in line 1 of each claim should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the limitation "in the middle thereof" in line 3 is inaccurate. Figure 1 does not show the positioning recess **12** in the middle of the shaft body 1, but rather towards an end of the shaft body. What is consider the middle of the shaft body?

Regarding claims 2-5, the claims depend from claim 1 and therefore are indefinite.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Sekine et al., 6,155,739 (see marked-up attachment).

Regarding claim 1, Sekine et al. disclose, in Figures 11-13, a coupling structure comprising a shaft body **102**, a shaft joint (see Figs. 12-13), and a coupling shaft **103**. The shaft body **102** has a positioning recess **A2** in a middle of the shaft body **102** in a longitudinal direction (see also Fig. 12). The shaft joint has an engagement groove **A5** and a flexible member **405**. The shaft body **102** is engaged with the shaft joint. The flexible member **405** is provided on an outer side, in a longitudinal direction, of the engagement groove **A5**. The coupling shaft **103** is inserted into the bores **101c, 101d**.

Applicant should note that the limitation requiring the flexible member to be engaged with the positioning recess is considered to be met by Sekine et al. in so far as

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Sekine's flexible member **405** is capable of being engaged with the positioning recess **A2**.

Regarding claim 2, the flexible member **405** has a deflection regulating portion **405j** facing a side face **A11** of the engagement groove **A5**.

Regarding claim 3, a tip **A12** of the flexible member **405** is bent outward in a width direction **A13** of the engagement groove.

Regarding claims 4 and 5, the flexible member **405** is provided more inwardly (as at **A12**) than the other side face of the engagement groove **A5**.

Claims 1-5, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Aota et al., 6,474,898.

Regarding claim 1, Aota et al. disclose, in Figure 3, a coupling structure comprising a shaft body **5**, a shaft joint **1**, and a coupling shaft **17**. The shaft body **5** has a positioning recess **47** in a middle of the shaft body **5** in a longitudinal direction. The shaft joint **1** has an engagement groove (shaft body **5** is in the groove) and a flexible member **30**. The shaft body **5** is engaged with the shaft joint **1**. The flexible member **30** is provided on an outer side, in a longitudinal direction, of the engagement groove. The coupling shaft **17** is inserted into the bores **15,16**.

Applicant should note that the limitation requiring the flexible member to be engaged with the positioning recess is considered to be met by Aota et al. in so far as Aota's flexible member **30** is capable of being engaged with the positioning recess **47**.

Regarding claim 2, the flexible member **30** has a deflection regulating portion **10** facing a side face **22** of the engagement groove.

Regarding claim 3, a tip (the end of member 10) of the flexible member **30** is bent outward in a width direction of the engagement groove.

Regarding claims 4 and 5, the flexible member **30** is provided more inwardly than the other side face of the engagement groove.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30-5:30. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



E.G.

June 24, 2005

Attachment: one marked-up page of Sekine et al., 6,155,739



JAMES M. HEWITT
PRIMARY EXAMINER

Sekine et al., 6,155,739

